

Marver, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEANNETTE FULLER HAUSLER as Successor
Personal Representative of the Estate of
ROBERT OTIS FULLER ("BOBBY
FULLER"), Deceased, on behalf of THOMAS
CASKEY as Personal Representative of the
Estate of LYNITA FULLER CASKEY,
surviving daughter of ROBERT OTIS FULLER,
THE ESTATE OF ROBERT OTIS FULLER,
FREDERICK FULLER, FRANCIS FULLER,
GRACE LUTES, JEANNETTE FULLER
HAUSLER, and IRENE MOSS,

Petitioner,

-against-

JPMORGAN CHASE BANK, N.A.,
CITIBANK, N.A., UBS AG, THE ROYAL
BANK OF SCOTLAND N.V. (FORMERLY
KNOWN AS ABN AMRO BANK N.V.), and
BANK OF AMERICA, NATIONAL
ASSOCIATION,

Garnishee-Respondents.

CITIBANK, N.A.,

Garnishee-Respondent
and Third-Party
Petitioner,

-against-

BANCO POPULAR DE AHORRO, CAJA DE
AHORROS Y PENSIONES DE BARCELONA,
LINSHANG BANK CO., LTD.,
TECNOIMPORT HAVANA, CUBA, and
JEANNETTE FULLER HAUSLER, as
Successor Personal Representative of the Estate
of ROBERT OTIS FULLER ("BOBBY
FULLER"), Deceased, on behalf of THOMAS
CASKEY as Personal Representative of the

USDS SDNY

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DOC#:

DATE FILED: 12.22.10

09 Civ. 10289 (VM)

Related to JPM Chase/Citibank
Turnover Proceeding

In Respect of a Judgment
Entered in the State of Florida,
Case No. 02-12475-CA-09

**STIPULATION AND
ORDER OF
VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF
TURNOVER CLAIM
AGAINST CITIBANK, N.A. AS
TO CITIBANK ACCOUNT #7
AND VOLUNTARY
DISMISSAL WITHOUT
PREJUDICE OF RELATED
INTERPLEADER CLAIMS**

Estate of LYNITA FULLER CASKEY, :
surviving daughter of ROBERT OTIS FULLER, :
THE ESTATE OF ROBERT OTIS FULLER, :
FREDERICK FULLER, FRANCIS FULLER, :
GRACE LUTES, JEANNETTE FULLER :
HAUSLER, and IRENE MOSS, :
 :
 :
Adverse Claimants- :
Respondents. :
 :
 :
X

WHEREAS, on July 7, 2010, Petitioner filed and served on Citibank, N.A.
("Citibank") a Petition for Turnover ("Turnover Petition III");

WHEREAS, Petitioner alleged that the account identified as Citibank Account #7
in Exhibit D to Turnover Petition III contained the proceeds of a blocked electronic funds
transfer ("EFT"), in respect of which Tecnoimport Havana, Cuba ("Tecnoimport") and
Linshang Bank Co., Ltd. ("Linshang Bank") were parties;

WHEREAS, Citibank answered Turnover Petition III with respect to Citibank
Account # 7 on July 28, 2010,

WHEREAS Citibank filed a Third-Party Petition Alleging Claims in the Nature of
Interpleader on August 11, 2010 ("Interpleader Petition"), naming Tecnoimport and
Linshang Bank as Adverse Claimants-Respondents;

WHEREAS, counsel for Petitioner and counsel for Citibank have agreed in the
interest of economy and efficient case administration to defer pursuit of claims
concerning Citibank Account #7;

WHEREAS, Tecnoimport and Linshang Bank have not appeared in this lawsuit or
filed a responsive pleading as of the date of this stipulation;

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41 of the Federal Rules of Civil Procedure, that the undersigned parties respectfully request that this Court enter an order that

(a) Petitioner's claim against Citibank for turnover of funds in Citibank Account #7, as identified in Exhibit D to Petitioner's Turnover Petition III, be dismissed without prejudice; and that

(b) Citibank's claims in the nature of interpleader against Tecnoimport and Linshang Bank, as identified in the Interpleader Petition, be dismissed without prejudice and without fees or costs.

Dated: New York, New York
December 21, 2010

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N.A.

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Otis Fuller, ("Bobby Fuller"),
Deceased, on behalf of Thomas
Caskey as Personal Representative of
the Estate of Lynita Fuller Caskey,
surviving daughter of Robert Otis
Fuller, The Estate Of Robert Otis
Fuller, Frederick Fuller, Francis
Fuller, Grace Lutes, Jeannette Fuller
Hausler, and Irene Moss

SO ORDERED:
December 21, 2010


U.S.D.J. Victor Marrero

BC